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PATENT

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: : D. R. Jenkins  
Serial No. : 09/679,698  
Filed : 10/05/2000

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Group Art Unit : 8914  
Examiner : C. Atkinson

Atty's Docket No. : 00-2024

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AMENDMENT

The Honorable Commissioner for Patents  
Box Amendment  
Washington, DC 20231

Dear Sir:

The following is in response to a first office action mailed 01/25/2002.

The application is said to contain claims directed to the following patentably distinct species and subspecies of the claimed invention:

- A. the species as illustrated in Figs. 1 and 2;
- B. the species as illustrated in Fig. 4;
- C. the species as illustrated in Fig. 5;
- D. the species as illustrated in Fig. 6;
- E. the species as illustrated in Fig. 10;
- i) the subspecies as illustrated in Fig. 3;

- ii) the subspecies as illustrated in Fig. 7; and
- iii) the subspecies as illustrated in Fig. 9.

Election of a single disclosed species and subspecies is required under 35 U.S.C. § 121 for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.


Pursuant to the requirement for an election of species, applicant hereby elects for further examination the species construed by the Examiner as being represented by Figs. 1 and 2 (Group A), and the subspecies construed as being represented by Fig. 7 (Group iii). Claims 1, 4, 6, 8-10 and 12-20 are believed to read on the elected species. Applicant respectfully requests that the election of species be entered, and that his application be examined on the merits.

For clarification, applicant respectfully submits that Fig. 4 and 5 represent an alternative embodiment of the invention, as stated in page 13, lines 8 and 9 of the specification as filed.

In view of the foregoing remarks, applicant believes the present application is in condition for allowance and respectfully requests reconsideration and passage to allowance. If Examiner disagrees, he is requested to call applicant's attorney at the telephone number provided below.

Respectfully submitted,

DATED: 02/25/02

  
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